

SENATE BILL 1169

By Berke

AN ACT to amend Tennessee Code Annotated, Section 55-8-188, relative to high occupancy vehicle lanes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-8-188(c)(1), is amended by deleting the language "Except as provided in subdivision (c)(2)," and by substituting instead the language "Except as provided in subdivisions (c)(2) and (3),".

SECTION 2. Tennessee Code Annotated, Section 55-8-188(c), is amended by adding a new subdivision, as follows:

(3)

(A) A motor vehicle driven by a female who is pregnant may be operated in an HOV lane without regard to the number of persons in the vehicle and without payment of a special toll or fee. No person shall operate a vehicle upon an HOV lane pursuant to this subdivision (c)(3) unless the vehicle is identified by means of a sticker or decal. The sticker or decal shall be approved jointly by the department of revenue and the department of transportation, in consultation with the department of safety. The department of revenue shall provide the sticker or decal to qualified females upon a physician's statement or an affidavit from a Christian Science practitioner listed in The Christian Science Journal that such female is pregnant. The sticker or decal issued pursuant to this subdivision (c)(3) shall expire fourteen (14) days after the projected birth date.

(B) If the United States secretary of transportation makes a formal determination that, by giving effect to this subdivision (c)(3) on a particular highway or lane, this state would disqualify itself from receiving federal highway

funds the state would otherwise qualify to receive or would be required to refund federal transportation grant funds it has already received, then this subdivision (c)(3) shall not be effective as to such highway or lane.

SECTION 3. This act shall take effect July 1, 2011, the public welfare requiring it.